COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

NATIONAL-SOUTHWIRE ALUMINUM COMPANY)

V.) CASE NO. 9437

BIG RIVERS ELECTRIC CORPORATION)

ORDER

On April 21, 1986, National-Southwire Aluminum Company ("NSA") filed a petition pursuant to 807 KAR 5:001, Section 7, requesting that certain portions of the prepared testimony submitted on behalf of NSA by Dr. Howard W. Pifer, III, be designated as confidential and not subject to public disclosure. NSA supports its request by stating that the confidential portions of its testimony consists of information provided by Big Rivers Electric Corporation ("Big Rivers") pursuant to a confidentiality agreement. NSA has provided copies of its confidential testimony to all parties who have signed a confidentiality agreement and has provided for public review edited versions which have the confidential portions deleted.

On May 6, 1986, Big Rivers filed a response in support of NSA's petition for confidentiality. Big Rivers alleges that the testimony and underlying data for which confidentiality is sought relates to confidential negotiations for the sale of power by Big Rivers, the disclosure of which could result in substantial competitive injury by allowing other sellers to undercut Big

Rivers' prices and enabling potential buyers to exert unfair leverage in negotiations.

Based on NSA's petition, Big Rivers' response, the evidence of record and being advised, the Commission is of the opinion and hereby finds that those portions of Dr. Pifer's testimony attached to NSA's petition contain proprietary financial information, the disclosure of which would result in substantial competitive injury to Big Rivers and, therefore, should be designated as confidential.

IT IS THEREFORE ORDERED that NSA's petition requesting that a portion of Dr. Pifer's testimony be designated as confidential be and it hereby is granted.

Done at Frankfort, Kentucky, this 15th day of May, 1986.

PUBLIC SERVICE COMMISSION

Chairman

Vice Chairman

Vice Chairman

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ATTEST:

Secretary